

necessary and proper to carry out its duties.

Sec. 8. Section three hundred four point ten (304.10), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

304.10 DIRECTOR OF HISTORICAL MUSEUM AND ARCHIVES--DUTIES. All lists and schedules submitted to the commission shall be referred to the director of the historical museum and archives, who shall determine whether the records proposed for disposal have value to other agencies of the state or have research or historical value. The director of the historical museum and archives shall submit the lists and schedules with his or her recommendations in writing to the commission and the final disposition of the records shall be according to the orders of the commission.

Sec. 9. Section three hundred four point eleven (304.11), Code 1977, is amended to read as follows:

304.11 TERMINATION OF STATE AGENCY. Upon the termination of any state agency whose functions have not been transferred to another agency, the records of the agency shall be ~~deposited in the state archives~~ disposed of according to the provisions of the state records management manual. ~~The commission shall determine which records are of sufficient legal, historical, administrative, research or fiscal value to warrant their continued preservation.--Records that are determined to be of insufficient value to warrant their continued preservation shall be disposed of or destroyed.~~

Sec. 10. This Act is effective January 1, 1978.

Approved June 3, 1977

CHAPTER 99 VACATING HIGHWAYS

S. F. 307

AN ACT relating to vacating and closing highways.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section three hundred six point sixteen (306.16), Code 1977, is amended to read as follows:

306.16 FINAL ORDER. After ~~such~~ the hearing, the agency which instituted ~~such~~ the proceedings and conducted ~~such~~ the hearing, shall enter an order.--~~Said agency may dismiss~~ either

dismissing the proceedings, or it may vacate and close such vacating and closing the road, part thereof, or crossing, in which event it shall determine and state in the order the amount of the damages allowed to each claimant. Said The order thus entered shall be final except as to the amount of the damages unless the order is rescinded as provided in section three hundred six point seventeen (306.17) of the Code. A copy of such the order shall be filed with the county auditor of the county or counties in which the road, part thereof, or crossing, is located and with the department and the agency in control of any affected state land.

Sec. 2. Section three hundred six point seventeen (306.17), Code 1977, is amended to read as follows:

306.17 APPEAL. Notwithstanding the terms of the Iowa administrative procedure Act, any claimant for damages may, by serving, within twenty days after the ~~said final~~ order has been issued, a written notice upon the agency which instituted and conducted such the proceedings, appeal as to the amount of damages, to the district court of the county in which the land is located, in the manner and form prescribed in chapter 472 with reference to appeals from condemnation, and such the proceedings shall thereafter ~~likewise~~ conform to the applicable provisions of ~~said that~~ chapter. If, in the opinion of the agency, the damages as finally determined on appeal are excessive, the agency may rescind its order vacating and closing the road, part thereof, or crossing, and the right-of-way shall remain under the jurisdiction of the agency. If the order is rescinded at any time after an appeal is taken, the agency shall pay reasonable attorney fees incurred by the claimant as taxed by the court.

Sec. 3. This Act is effective January 1, 1978.

Approved June 3, 1977

CHAPTER 100
BIKEWAYS AND WALKWAYS

H. F. 197

AN ACT relating to certain bikeway and walkway construction projects.

Be It Enacted by the General Assembly of the State of Iowa: